



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I
5 POST OFFICE SQUARE, SUITE 100
BOSTON, MASSACHUSETTS 02109-3912

JUN 21 2013

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Robert L. Moylan, Jr., P.E.
Commissioner
Department of Public Works and Parks
20 East Worcester Street
Worcester, MA 01604

Re: Request for Information Pursuant to Section 308 of the Clean Water Act (33 U.S.C. § 1318), Docket No. 013-308-16

Dear Mr. Moylan:

The federal Clean Water Act ("Act"), 33 U.S.C. § 1251, *et seq.*, prohibits the discharge of pollutants into waters of the United States, including wetlands, except as authorized by a permit issued pursuant to Sections 402 of the Act, 33 U.S.C. § 1342. Each discharge of pollutants from a point source that violates such a permit constitutes a violation of Section 301(a) of the Act, 33 U.S.C. § 1311(a).

The U.S. Environmental Protection Agency ("EPA") inspected various components of the City's wastewater collection system and certain components of the City's municipal separate storm sewer system ("MS4") on January 22-23, 2013 ("the Inspection"). Section 308(a) of the Act, 33 U.S.C. § 1318(a), authorizes EPA to require any person to provide information needed to determine whether there has been a violation of the Clean Water Act. The questions in this information request are a follow-up the January 2013 inspection and the meeting among EPA, Massachusetts Department of Environmental Protection, and City staff, on June 13, 2013. Accordingly, you are hereby required, pursuant to 33 U.S.C. § 1318(a), to respond to the enclosed Information Request (Enclosure 1) **within forty-five (45) calendar days of receipt of this letter**, unless otherwise specified.

Please read the instructions and definitions in the enclosure carefully before preparing your response. Answer each question as clearly and completely as possible. Your response to this request must be accompanied by a certificate that is signed and dated by you or the person who is authorized by you to respond to the request. The certification must state that the response is complete and contains all information and documentation available to you that is responsive to the request. A Statement of Certification is enclosed with this letter (Enclosure 2).

Information submitted pursuant to this letter shall be sent by certified mail and shall be mailed to the following addresses:

U.S. Environmental Protection Agency, Region I
5 Post Office Square, Suite 100
Mail Code OES04-03
Boston, MA 02109-3912
Attention: Douglas Koopman
and

Massachusetts Department of Environmental Protection
Central Region
627 Main Street
Worcester, MA 01608
Attention: Robert Kimball

Although the information requested must be submitted to EPA, you are entitled to assert a business confidentiality claim pursuant to the regulations set forth in 40 C.F.R. Part 2, Subpart B. If EPA determines the information you have designated meets the criteria in 40 C.F.R. § 2.208, the information will be disclosed only to the extent and by means of the procedures specified in Subpart B. Unless a confidentiality claim is asserted at the time the requested information is submitted, EPA may make the information available to the public without further notice to you.

Compliance with the provisions of this letter is mandatory. If the City does not respond fully and truthfully to this Information Request or adequately justify its failure to do so, the City may be subject to civil penalties or criminal fines under Section 309 of the Act, 33 U.S.C. § 1319. Please be aware that the issuance of this letter and providing the requested information does not relieve you of any responsibility under the Act.

If you would like an opportunity to confer, or if you have any questions relating to this Request for Information, please contact Douglas Koopman of my staff at (617) 918-1747. If you have any legal questions, or if your attorney wishes to communicate with EPA on your behalf, please contact Jeffrey Kopf, Senior Enforcement Counsel at (617) 918-1796.

Sincerely,



Susan Studlien, Director
Office of Environmental Stewardship
EPA Region 1

Enclosures

(1) Information Request

(2) Statement of Certification

cc: Don Anglehart, Attorney at Law
Robert Kimball, P.E. CERO Mass DEP
Matthew J. Labovites, Asst. Commissioner – Operation, City of Worcester
Jeffrey Kopf, Senior Enforcement Counsel, EPA Region 1
Douglas Koopman, Environmental Engineer, EPA Region 1

INFORMATION REQUEST

This information is requested pursuant to Section 308(a) of the Clean Water Act, 33 U.S.C. § 1318(a).

A. Instructions

1. Any documents relied upon or used by you to answer any of the questions in the request must be copied and submitted to EPA with your response. All documents must contain a notation indicating the question and subpart of the question to which they are responsive.
2. If any question cannot be answered in full, answer to the extent possible. If your responses are qualified in any manner, please explain.
3. If information or documents not known or not available to you as of the date of submission of your response to this Information Request should later become known or available to you, you must supplement your response to EPA. Moreover, should you find, at any time after the submission of your response, that any portion of the submitted information is false or misrepresents the truth, you must notify EPA of this fact as soon as possible and provide a corrected response.
4. Please provide a separate narrative response to each and every question and subpart of a question set forth in this Information Request. Precede each answer with the text and the number of the question and its subpart to which the answer corresponds.

B. Respond to the Following

1. During the Inspection, the inspection team was provided a map showing the locations of the twin-invert manholes in the City derived from GIS data. Provide the GIS locations of the twin-invert manholes electronically. In addition, if the following information is maintained by the City, provide a spreadsheet that contains the following information for each twin-invert manhole:
 - a. unique identifier used by the City;
 - b. address or other location information;
 - c. date last inspected by the City;
 - d. status observed during that inspection;
 - e. a column stating whether the gasket seal was present, and if so whether it was leaking, not leaking, or unknown;
 - f. if found to be in need of repair, list the date of the repair;
 - g. list the storm drain outfall downstream of the manhole and distance to nearest storm drain;
 - h. describe whether the City has a formal program in place for inspecting the plates and gaskets to ensure proper operation.
2. The City submitted to EPA a Capacity, Management, Operation and Maintenance (CMOM) Program Implementation Plan Schedule, dated April 28, 2006. The Schedule required the City to develop and implement a manhole inspection program. During the Inspection, City staff indicated that there was no formal manhole inspection program. Explain whether the City has plans to develop and implement a manhole inspection program to ensure a systematic approach to inspecting all manholes over a set period of time.
3. During the Inspection, City representatives discussed with the inspectors that there were areas of the City which had capacity issues due to Inflow and Infiltration (I/I) and other areas of the City which had flooding problems. Provide a summary listing of each area with excessive I/I (delineated by street name or other geographic boundaries). Provide a summary of the work and any findings (required work, costs schedules, etc.) provided by any consultants related to I/I projects in the City. Also, provide a summary listing of each area with flooding issues (delineated by street name or other geographic boundaries). Provide a summary of the work and any findings of any consultants related to the flooding problems in the downtown area.
4. If the City has any capital improvement plans which address I/I, provide copies of those

plans.

5. Describe how much I/I from the City's sanitary system (percentage of dry weather flow) is being delivered to the Upper Blackstone Wastewater Treatment Plant.
6. Provide a summary of any past I/I reports and studies, any corrective actions which were implemented.
7. Explain how SSO volumes are estimated.
8. Explain any procedures in place for root cause analysis for SSOs.
9. Explain whether it is the City's practice to report as SSOs any overflows entered as "Sewer Backing up Into House" on the City's work order forms.
10. Provide copies of any insurance claims (or a list of claims) over the past five years filed against the City and those paid by the City for backups of sewage into privately owned buildings/homes.
11. During the Inspection, the City explained that in the summer of 2012 a pilot project was started to clean an entire sewer watershed on a preventative basis. Explain whether the program was successful and whether the City intends to develop and implement a preventive cleaning program based on distinct sewersheds.
12. Explain whether the City has a program in place for systematically inspecting and cleaning the sewer system on a regular basis.
13. Explain whether the City has a program in place for systematically inspecting the sewer system with CCTV on a regular basis.
14. During the Inspection, the inspection team observed two different regulator field inspection sheets used by the City staff to conduct inspections. A 2011 sheet identified 20 assets while a 2012 sheet identified 26 assets. During the initial interview the City stated it had 17 sewage flow regulators in the combined sewer system. During field activities a field crew member stated that there were 24 regulators in the system. Please provide an up to date regulator field inspection sheet with the most current information related to the correct number of regulators. Explain how the City plans on ensuring that the field crews are using the most up to date regulator field inspection sheets.

15. Part I.D. of Permit No. MA0102997 for the Quinsigamond Avenue Combined Sewer Overflow Storage and Treatment Facility requires the City to submit an Annual Report to EPA and MassDEP by April 30 of each year that includes the specific information listed in Parts I.D.1-5 of the permit. Over the past four years, the reports have been submitted on October 4, 2012, December 20, 2011, December 16, 2010, and November 5, 2009. Explain why these reports are not timely submitted each year.
16. Please provide a copy of the protocol used by the City to conduct dry weather screening. Please include the current parameters which are sampled for and what levels trigger additional work to find illicit connections. State what actions the City takes to follow up when sampling indicates additional work is necessary.
17. During the Inspection the inspection team was informed that there are roughly 24 storm water outfalls and locations that the city inspects on a weekly basis. Please provide a list of these locations and the inspection sheets from these inspections for the past three years.
18. CDM provided the City a report in October 2007 which was revised in November 2007 entitled "Stormwater Management Program Assessment-City of Worcester MS4 Phase I NPDES Stormwater Permit Renewal and Sanitary Sewer Overflow Administrative Order". In that report Section 3 Table 3 it states that the City proposes to conduct Wet Weather Outfall Screening ("Screening") of outfalls known to have conveyed SSOs in the past, once per year. The City also proposed Screening the remaining outfalls potentially impacted by dry weather SSO problems during wet weather at least once during the term of the renewed Phase I NPDES Stormwater Permit. We recognize that the Phase I NPDES Stormwater Permit has not yet been renewed; however, if the City has done any of this Screening, provide the sample locations and the results for the past three years.
19. On page 6-3 of the February 1999 SWMP it states that the hold-down devices installed in the twin-invert manholes were "chosen by the city after consideration of a variety of possible solutions, including permanently sealing alternative pipes in each manhole, bolting down the aluminum plates, and installing several different types of covers to replace the plates. The selected method provides the optimal combination of ease of access, reliability and cost." Provide all documents containing an analysis of the different options for dealing with the problems in the twin-invert manholes.
20. In its Stormwater Management Plan Annual Report (Year.13) April 2012 (on page 10-3), the City indicates that it has repaired 157 out of 161 illicit sewer connections identified since 1999. During the June 13, 2013 meeting, it was indicated that 170 illicit sewer connections have now been identified. Describe the circumstances and status regarding any known illicit connections that have not been addressed. Explain the proposed schedule for eliminating these remaining illicit connections.

21. The Discharge Monitoring Reports submitted by the City for the Quinsigamond Avenue Combined Sewer Overflow Storage and Treatment Facility show that the facility has difficulty meeting its total chlorine residual limit of 72 ug/l. Describe any actions planned to facilitate meeting this permit limit. In addition, describe any proposed plans for projects that would reduce the number of CSO discharges from this facility.

End of Questions

DECLARATION

I declare under penalty of perjury that I am authorized to respond on behalf of the City of Worcester. I certify that the foregoing responses and information submitted were prepared by me, or under my direction or supervision and that I have personal knowledge of all matters set forth in the responses and the accompanying information. I certify that the responses are true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment.

By _____
(Signature)

(Title)

(Date)